

BILLS PASSED BY THE 2002 LEGISLATURE – Final Summary

Bills listed By Subject Area

(Changes from last publication indicated in underlined red text. Technical corrections made on 4/17/02)

NOTE: The Governor has 30 days from April 12, 2002 to sign legislation sent to him during the final days of the session.

Bill Number	Description	Status
SF 2260 Effective date: July 1, 2002	AEA voluntary Reorganization This is a Department bill that makes necessary revisions to 2001 legislation passed establishing a procedure for AEAs to reorganization. The bill represents the advice of those currently involved in reorganization conversations.	Signed by the Governor
SF 2315 Effective date: July 1, 2002	Allowable Growth for 2002-2003 This bill sets allowable growth for next year at 1%. This amends the allowable growth rate of 4%. For the 2002-2003 school year this means a \$45 per pupil increase in spending authority. In addition to passing a 1% allowable growth rate, the legislation appropriates \$1,784,090,500 for state foundation aid or a \$59 million increase. This \$59 million increase in state foundation aid is approximately \$11.5 million less than the amount required to "fully fund" the state aid part of the formula. This means that districts must decide whether to levy (use) cash reserve for the additional \$11.5 million to fully fund the 1% allowable growth. This continues the \$7.5 million reduction to AEAs that occurred during FY02.	Signed by the Governor
<u>SF 2328</u> Effective date: Jan. 1, 2003	<u>Allowable Growth for 2003-2004 This bill sets allowable growth for the 2003-2004 school year at 2%. Education stakeholders suggested that given Iowa's revenue picture the Legislature and the Governor should not set the growth rate until the 2003 legislative session. This would increase the district cost per pupil \$91 over the FY03 amount. This would continue the \$7.5 million reduction to AEAs that occurred during FY02.</u>	<u>To the Governor</u>

	<p><u>This appropriation replaces the appropriation of \$137 million included in the Omnibus bill.</u></p> <ul style="list-style-type: none"> • <u>Caps the funds going to the community college for training programs under the ACE program at \$3 million. The withholding tax credit set aside was scheduled to increase from \$3 million to \$6 million in FY03. The increase is delayed for one year.</u> 	
<p><u>SF 2326</u></p> <p>Effective date if signed by Gov: Various</p>	<p><u>Appropriations – Omnibus bill</u> This 270 page bill combines the appropriations work of seven budget subcommittees including the Education Appropriations Subcommittee. The bill includes the following appropriations for FY03:</p> <p><u>1. Department of Education:</u></p> <ul style="list-style-type: none"> • <u>DE General Administration: \$46, 000 above the Governor's recommended level. Still, this represents a \$427,000 reduction over this current fiscal year(FY02) and a \$900,000 reduction from FY01</u> <u>This funding is combine with the Appropriations – Salary bill funding which is underfunded in the amount equal to one-half day of furlough each pay period. This amounts to about \$150,000 for the agency.</u> • <u>Community college state general aid: This bill level funded the community colleges at \$137 million for FY03. The Appropriations – Salary bill described above appropriated \$138 million or \$1 million above current FY02 level for community college state general aid in FY03.</u> <p><u>The following appropriations are funded at the Governor's recommended level. The current fiscal year appropriation, including across-the-board cuts, is listed in parenthesis</u></p> <ul style="list-style-type: none"> • <u>JAG: \$136,6552 (\$142,114 in FY02);</u> • <u>School-to-Work: \$185,212 (\$192,813 in FY02)</u> • <u>Americorps: \$136,552 (\$142,114 in FY02);</u> • <u>Community Empowerment: \$14,033,448 (14,664,000 in FY02)</u> 	<p><u>To the Governor</u></p>

	<ul style="list-style-type: none"> • <u>Nonpublic textbooks: \$578,000 (same in FY02)</u> • <u>Voc Ed Admin: \$ 500,111 (\$555,453)</u> • <u>Voc Ed Secondary: \$3,012,209 (\$3,134,903)</u> • <u>Voc Ed Youth Organizations: \$81,630 (\$84,920)</u> • <u>BOEE: \$43,695 (\$46,988)</u> • <u>Independent Living: \$59,489 (\$57,158)</u> • <u>Vocational Rehabilitation: \$4,386,854 (\$4,590,890)</u> • <u>School Food Service: \$2,574,034 (Same as FY02)</u> • <u>NOTE: Child Development Coordinating Council programs REMAIN at the final FY02 level.</u> <p>2. <u>College Student Aid Commission (All at Gov's rec)</u></p> <ul style="list-style-type: none"> • <u>College Work-Study Program: Funding continues at \$300,000. This represents the second year of decreased funding, which was at \$2.7 million in FY01.</u> • <u>ACE Opportunity Grants: \$224,895 (same as FY02)</u> • <u>Teacher Shortage Forgivable Loan: \$472,279 (same as FY02)</u> • <u>Voc Tech Grant: \$2,375,657 (same as FY02)</u> <p>3. <u>Department of Human Services</u></p> <ul style="list-style-type: none"> • <u>Reduces the juvenile court school liaison funding from \$3.5 million to \$1.4 million. For the past several fiscal years, the state has provided 75% funding to match local districts' contribution of 25%. For FY03 in order to maintain the current level of service, school districts will now be required to provide 66% of the funding compared to state share of 33%.</u> <p>4. <u>Department of Corrections</u></p> <ul style="list-style-type: none"> • <u>Provides \$100,000 for corrections education. In the several previous fiscal years this appropriation of \$2.9 million funded educational opportunities in Iowa's correctional institutions. Community college faculty provided the vast majority of staffing of this program. This legislature funded this at the Governor's recommended level.</u> 	
--	---	--

	<p>5. <u>Department of Economic Development</u></p> <ul style="list-style-type: none"> • <u>School-to-Career: \$28,498 (\$33,160 in FY02)</u> 	
<p><u>HF 2614</u></p> <p>Effective date if signed by Gov: Various</p>	<p><u>Appropriations – RIIF and Tobacco Settlement (Capitals/Infrastructure)</u> This bill contains appropriations for infrastructure including technology funding. Education related funding includes:</p> <p>1. <u>Department of Education</u></p> <ul style="list-style-type: none"> • <u>\$3 million for community college technology (level funded);</u> • <u>\$5.7 million for public and accredited non-public school technology. As with the current School Improvement Technology funding is included for student at the Iowa Braille and Sight Saving School, the State School for the Deaf, the Price laboratory School at the University of Northern Iowa, and institutions under the control of the Department of Human Services, such as Woodward and Glenwood. The funding would be distributed on a per pupil basis. The funds must be used for the purposes outlined in the School Improvement Technology program;</u> • <u>\$150,000 for completion of Project EASIER;</u> • <u>\$800,000 to continue the 21st Century Learning Center technology project at UNI.</u> • <u>\$600,000 for local libraries.</u> <p>2. <u>Department of Economic Development</u></p> <ul style="list-style-type: none"> • <u>\$2.5 million for ACE capital projects at community colleges. This funding will be allocated equally among the community colleges, but funds not used by April 1, 2003 may be used by any other community college with pending need.</u> 	<p><u>To the Governor</u></p>

<p><u>HF 2623</u></p> <p><u>As amended by H-8659</u></p> <p>Effective date if signed by Gov: Various</p>	<p><u>Appropriations – Salary and Corrective Changes bill</u></p> <p><u>Employee salaries:</u> This bill appropriates salary money for state employees. The funding level reflects a delay in implementing the contract-covered employees' COLA for FY03 until October 25, 2002. The bill also underfunds salaries by amount one third, which could result in furloughs next fiscal year.</p> <p><u>Community Colleges:</u> Amendment H-8659 was adopted that appropriates \$138,585,680 for community college general state aid for FY03. This amount is \$1 million above the current FY02 level. This appropriation replaces the appropriation of \$137 million included in the Appropriation – Omnibus bill as described above.</p> <p><u>Teacher compensation funding:</u> Amendment H-8659 was adopted that appropriates \$40 million for the Teacher Quality program. The funding includes \$7.75 million to continue mentoring and induction for first and second year teachers, the evaluator-training program, revamping of professional development, National Board Certification and continuation of the trial PRAXIS exam for teachers entering the profession.</p> <p><u>The remaining \$32.2 million goes for teacher salaries. In House File 2549 above the salary for first year Beginning teachers remains at \$24,500. The salary for current Career teachers remains at \$26,500. The salary for teachers who are in their second year this year and will move to Career status next year will be \$25,500.</u></p> <p><u>The \$40 million comes from the following sources:</u></p> <ul style="list-style-type: none"> • <u>\$16.1 million from the state's general fund;</u> • <u>\$8.6 million from the Underground Storage Tank Fund</u> • <u>\$10 million from premium tax credit revenue source</u> • <u>\$5 million from the Rebuild Iowa Infrastructure Fund</u> <p><u>Phase III funding:</u> Amendment H-8659 was adopted that reduces Educational</p>	<p><u>To the Governor</u></p>
--	--	-------------------------------

	<p><u>Excellence Phase III funding by \$14 million leaving \$9 million for teacher professional development.</u></p> <p><u>In addition, the bill:</u></p> <ul style="list-style-type: none"> • <u>Caps the funds going to the community college for training programs under the ACE program at \$3 million. The withholding tax credit set aside was scheduled to increase from \$3 million to \$6 million in FY03. The increase is delayed for one year.</u> • <u>Requires the Departments of General Services, Personnel, and Information Technology to consult with affected departments in identifying duplicative positions or studying reorganization within state government.</u> 	
<p><u>HF 2615</u></p> <p>Effective date if signed by Gov: Various</p>	<p><u>Appropriations - Tobacco Settlement (Programs)</u> This bill appropriates funding from the Tobacco Settlement to various projects. The bill appropriates \$1.2 million to Community Empowerment. This replaces the TANF money that has been appropriated in past years. Community Empowerment also receives \$14 million in state general fund money in HF 2326 Appropriation – Omnibus, listed above.</p>	<p><u>To the Governor</u></p>
<p>SF 2258</p> <p>Effective date if signed by Gov: July 1, 2002</p>	<p>BOEE Denial of a License This bill would require the Board of Educational Examiners to deny the issuance of a license if the applicant has committed certain felonies and various abuse and sex crimes. This bill corrects inconsistencies in Iowa law that became apparent during a BOEE rulemaking process. The House adopted an amendment that clarifies the felonies.</p>	<p><u>To the Governor</u></p>
<p>HF 2482</p> <p>Effective date: July 1, 2002</p>	<p>BOEE investigations This bill would allow the BOEE, with assistance of the Attorney General, to proceed with prosecution of founded disciplinary investigations. Current law requires the complainant to carry the case through prosecution. The bill exempts contract jumping from this new process.</p>	<p><u>Signed by the Governor</u></p>
<p>HF 2454</p> <p>Effective date: July 1, 2002</p>	<p>Character Education This bill would revise the Iowa's character education law to allow for greater consistency between Iowa's law and the new federal Elementary and Secondary Education Act. States are required to apply for a federal character education grant. Activities are underway with the Department and a character education nonprofit.</p>	<p><u>Signed by the Governor</u></p>

<p>SF 348</p> <p>Effective date if signed by Gov: July 1, 2002</p>	<p>Charter Schools Legislators were interested in creating charter schools within public school districts for the purpose of drawing down federal charter school funds for the buildings that might be designated as charters by the local board. <u>The bill authorizes 10 pilots who <i>could</i> be eligible for federal funding if Iowa submits an application and the US Department of Education approves the application. Based upon typically allocations to other states, Iowa could receive one-year \$50,000 planning grants per charter school for the 2003-2004 school year and two years of a \$150,000 in implementation grants per charter school in following school years.</u></p> <p>The bill only permits local school districts to be the chartering agent. In addition, the bill contains the following provisions:</p> <ul style="list-style-type: none"> • The State Board would approve the charters (4 year term) • No charter school districts • Charter buildings would operate as public schools for all practical purposes • Teachers would be employees of the district • The district would be the fiscal agent for the charter building but the building would have flexibility in how funding is spent • HF 2272 requirements would apply to the charter building • The State Board and the local board could revoke the charter • This legislation would sunset in 8 years 	<p><u>To the Governor</u></p>
<p>SF 2205</p> <p>Effective date if signed by Gov: July 1, 2002</p>	<p>Child Development Homes This bill makes several changes to the current child care system. Under current law a childcare home must register if the home serves more than six children. As introduced, this bill would have lowered that maximum to require registry for homes serving more than three children. An amendment offered during Senate debate moved the maximum for registry back to current requirement of more than six children. "Child Care Homes" undergo a name change to "Child Development Homes". The bill also directs the Department of Human Services to administer standards for these centers. <u>Finally, the bill prohibits smoking in the child development homes during business hours.</u></p>	<p><u>To the Governor</u></p>

<p>HF 2394</p> <p>Effective date: July 1, 2002</p>	<p>Community College Licensure This bill would eliminate licensure of community college faculty. Instead each college appoints a committee comprised of administrators and faculty to develop a plan to insure quality faculty and the professional development of faculty.</p> <p>The bill would have allowed each college to develop quality standards that would have been consistent with North Central Regional Accreditation and the higher education model of holding the individual college responsible for hiring quality faculty. Instead committee action included an amendment that sets specific quality standards for full time faculty:</p> <ul style="list-style-type: none"> • Arts and sciences faculty would be required to possess a master's degree and have 12 hours of study in the field of instruction; • Vocational educators would be required to have 6000 hours in their field of teaching. 	<p>Signed by the Governor</p>
<p>HF 2571</p> <p>Effective date: July 1, 2002</p>	<p>Cultural Trusts This bill creates a cultural trust fund within the Department of Cultural Affairs. Interest income generated off of any funds placed into the trust fund would be allocated for educational purposes by a 9-member board, which includes legislators. The bill did not appropriate state funds for this trust.</p>	<p><u>Signed by the Governor</u></p>
<p>SF 2259</p> <p>Effective date if signed by Gov: July 1, 2002</p>	<p>Department Bill #1 - This is one of two department statutory revision bills. This bill:</p> <ul style="list-style-type: none"> • Updates circumstances under which a student may participate in athletics without meeting the residency requirements to include situations where the parents have not been married but a court-ordered custody decree or order of custody is present; • Requires the receiving district to pay the postsecondary enrollment option (PSEO) fee of \$250. Current law requires the sending district (the resident district) to pay the fee. Students taking PSEO are doing so based upon the curriculum of the receiving district not the sending district. • Codifies current practice under which nonpublic school students may participate on public school athletic teams if sharing agreements exist between the public and nonpublic school. 	<p><u>To the Governor</u></p>

	<ul style="list-style-type: none"> • Changes the date by which the department must notify districts of the capacity per pupil for Vision Iowa –school infrastructure purposes. The current July 1 date is moved to September 1 to allow for the capacity to be based upon the most accurate tax information; • Changes Ed Excellence to allow Phase I payments to be based upon the previous year's Phase I teacher count. Also, allow districts to retain any portion of their Phase III balance at the end of the year. Current law allows districts to retain up to 50% of the balance. 	
HF 2515 Effective date: See bill description below	<p>Department Bill #2 Statutory Changes Due to Budget Reductions This bill would eliminate, reduce or reassign certain duties of the Department of Education. The changes are essential due to the nearly 12 percent reduction in the DE's general administration budget to date in this fiscal year. Declining state revenues will most assuredly reduce administration expenses further. The department simply can't continue offering services in certain areas. <u>Amendments were adopted to the bill upon final passage. See below.</u></p> <p><i>A section-by-section analysis of this bill is included at the end of this bill chart.</i></p>	<u>To the Governor</u>
HF 2404 Effective date: July 1, 2002	<p>English Language Learner Funding This bill would increase the weighting for limited English proficiency from .19 to .22 weighting. This bill would cost approximately 1 million starting in FY04. Passage of this bill is tied to the English as the official language bill, which is awaiting action by the Governor</p>	<u>Signed by the Governor</u>
HF 2532 Effective date if signed by Gov: July 1, 2002	<p>IPERS This bill is the IPERS clean-up bill offered traditionally during in even numbered years. Of primary interest is a provision that raises the cap on salaries IPERS beneficiaries can receive before a reduction in IPERS income results. Under current law the cap is set at \$14,000. <u>The House/ Senate conference committee agreed to set the new cap at \$30,000.</u></p>	<u>To the Governor</u>
HF 2467 Effective date: July 1, 2002	<p>Loan Defaulters Licenses This bill would allow various licensing boards to suspend, revoke or deny a license if the applicant is in default on a student loan.</p>	<u>Signed by the Governor</u>

HF 2475 Effective date: July 1, 2002	Loan Security. Iowa Higher Education Loan Authority, a quasi-governmental body, requested this bill. The bill allows non-profit organizations that provide or acquire educational loans to establish and perfect a security interest and priority over other security interests in the loan.	Signed by the Governor
HF 2150 Effective date: July 1, 2002	National Guard Services This bill would permit the Iowa National Guard, U.S. reserve forces and reserve officer training corps to conduct honor guard services on school property without violating the gun-free school law.	<u>Signed by the Governor</u>
HF 2323 Effective date: July 1, 2002	Nurse Loan Program This bill would create within the College Student Aid Commission three new nurse recruitment programs including: <ul style="list-style-type: none"> • Forgivable loan program • Tuition scholarship program • Registered nurse repayment loan program The bill creates a separate fund within the General Fund entitled the Registered Nurse Revolving Fund. Federal funds are expected to begin this program. <u>No state funds were appropriated.</u> This bill would benefit community college nursing students.	<u>To the Governor</u>
SF 2228 <u>Effective date if signed by Gov:</u> <u>July 1, 2002</u>	PPEL Purchases - Bill #2 This bill lowers the permissible minimum purchase from \$1,500 to \$500 and allow districts to purchase technology as opposed to just current law of "technology systems".	<u>To the Governor</u>
<u>Various</u>	<u>Resolutions Honoring Iowans in Education The following House Resolutions (HR) and Senate Resolutions (SR) passed the General Assembly during the 2002 legislative session.:</u> <u>SR 117 Honoring E. Wayne Cooley Director of the Iowa Girls Athletic High School Union</u> <u>HR 116 Honoring Jennifer Erbe the 2002-2003 Teacher of the Year</u>	<u>These resolutions are nonbinding. No action is required by the Governor.</u>

	<p><u>HR 110 and SR 120 Honoring the centennial of 4H Clubs</u></p> <p><u>HR 129 and SR 146 Honoring Iowa students scoring a perfect 1600 on the SAT test</u></p> <p><u>HR 131 and SR 154 Honoring the Des Moines Area Community College men's basketball team. The team captured the National Junior College Athletic Association (NJCAA) Conference Championship and the NJCAA Region XI Championship titles.</u></p> <p><u>HR 122 Honoring the Kirkwood Community Colleges women's basketball team. The team captured the National Junior College Athletic Association (NJCAA) Region XI Basketball Championship.</u></p>	
<p>HF 2151</p> <p>Effective date: July 1, 2002</p>	<p>Safety Plans This bill would give school districts, AEAs and community colleges the discretion to make all or parts of their school safety plan a confidential record. IASB sponsored this bill.</p>	<p>Signed by the Governor</p>
<p>HF 2183</p> <p>Effective date: March 21, 2002</p>	<p>School Board Elections Under current law, the method of school board elections and the number of director districts can only be changed through a vote during a general election. This bill allows a school board to make these changes by board action. IASB offered the bill to allow for districts to change their structure prior to the April 30 deadline for submitting redistricting plans.</p>	<p>Signed by the Governor</p>
<p>SF 2197</p> <p>Effective date: July 1, 2002</p>	<p>Sex Offenders Near Schools This bill would make it an aggravated misdemeanor for a sex offender to live within 2000 feet of a public or private school or child care facility.</p>	<p><u>To the Governor</u></p>
<p>HF 2138</p> <p>Effective date: July 1, 2002</p>	<p>Student Loan Waivers This bill would allow the College Student Aid Commission to waive or modify statutory or administrative rules for student aid in instances where the President declares a national emergency.</p>	<p>Signed by the Governor</p>

<p>HF 2549</p> <p>Effective date if signed by Gov: July 1, 2002</p>	<p>Teacher Quality Revisions This bill makes several changes to the Student Achievement and Teacher Quality bill passed during the 2001 session. <u>\$40 million in funding is contained in the SF 2331, Appropriations – Salary bill listed above.</u></p> <p>This bill:</p> <ul style="list-style-type: none"> • <u>Keeps salary levels at \$24,500 for first year beginning teachers;</u> • <u>Keeps salary level for current career teachers at a minimum of \$26,500;</u> • <u>Stipulates that 2nd year teachers becoming Career teachers next year will receive at minimum \$25,500;</u> • <u>Continues mentoring and induction, the evaluator training program and the revamp of professional development;</u> • Redesigns the evaluation system to designate an annual conference for professional development growth, a three-year performance review and an intensive assistance program for those teachers not meeting the Iowa Teaching Standards. Beginning teachers would still be comprehensively evaluated for licensure and employment; • <u>Requires adjudicators to have training on the Iowa Teaching Standards and model criteria if the adjudicator is involved with the reviewing the evaluation that determined that the beginning teacher did not demonstrate competence on the standards and criteria</u> • Establishes an advanced and Career II level pilot program; • Extends the sunset for teachers interested in participating in National Board Certification to 2005; • Requires the State Board of Education to adopt rules setting standards for district professional development plans and teacher development plans; • Allows retired teachers to be mentors without being employed as classroom teachers by the district; • Allows AEA classroom teachers to directly participate in the mentoring program. Currently those teachers are participating via school districts; • <u>Requires all districts to become participating districts by July 1, 2002.</u> 	<p><u>To the Governor</u></p>
<p>HF 2139</p> <p>Effective date:</p>	<p>Vocational Tuition Grants This bill raises the maximum allowable vocational tuition grant from \$650 to \$1,200. <i>This change is revenue neutral</i> . Students should not expect to see an overall increase in their eligibility due to this bill.</p>	<p>Signed by the Governor</p>

<u>July 1, 2002</u>	The bill is needed to coincide with changes in federal student aid definitions.	
	BILLS THAT DID NOT PASS THIS SESSION	
HF 2319	AEA Property This bill would permit the sale of AEA non-real property valued at \$1,000 or less to school districts without the necessity of undertaking the notice and public hearing requirements.	Died on Senate calendar
HF 2525	Bomb Threats This bill would have made it a class "C" felony to make a false bomb threat to a public school and most private schools.	Died on House calendar
SF 2115	<p>College Preparatory Schools This bill codifies an Attorney General's opinion that says that specially accredited college preparatory schools are accredited by the state and therefore these college preparatory schools are entitled to nonpublic transportation and textbook reimbursement. This reverses a Department of Education legal interpretation that disallowed the reimbursements.</p> <p>The Department opposed this bill in favor of grandfathering only the existing specially accredited college preparatory schools as eligible for the nonpublic reimbursements. <u>This section was struck from the Department bill, HF 2515.</u></p>	<p>Died in House Education Committee</p> <p>Passed Senate</p>
<u>SF 2324</u>	<u>Construction Management. This bill would have broaden the definition, public notice and bidding process for construction projects, making it more costly for school districts. The bill did not require construction managers to have liability insurance. Opponents to the bill disputed the process, which did not include significant input from public owners such as schools.</u>	<u>Died on House calendar</u>
HF 2517	<p>Education Changes This bill, sponsored by Chairperson Betty Grundberg, and was significantly amended by the House Education Committee.</p> <p>A Senate Committee amendment would have:</p> <ul style="list-style-type: none"> Required school districts administer ITBS and ITEDs to report scores by to 	<p><u>Died on Senate calendar</u></p> <p><u>Pieces attached to</u></p>

	<p>the department and to communities by national percentile rankings</p> <ul style="list-style-type: none"> • Required the school improvement advisory committee required under 280.12 to develop and maintain a longitudinal analysis chart of the uses of data from the ITBS and ITED and is based upon grade-equivalent scores for other test. The analysis shall review reading, math, and science scores and the average gain scores. <p>The bill as passed the House:</p> <ul style="list-style-type: none"> • Required state aid to be reduced on a per pupil basis when the Governor signs an across-the-board cut. This is a follow-up to the November 2001, conversation on whether the reduction should be done by running the formula backwards (as is the historic practice) or reducing the state aid on a per pupil basis. The department does not support this change. <u>Included in House File 2515 above.</u> • Required schools and school districts to report graduation rates on their Comprehensive School Improvement Plans. A committee amendment requires the definition of graduation rate to be consistent with the new reauthorization of the Elementary and Secondary Education Act. <u>Included in House File 2515 above.</u> • Required the BOEE to investigate and determine probable cause within 120 days instead of the current requirement of 180 days. • Allowed the director of the BOEE to waive licensure requirements for a superintendent of a school district of 7500 or more students. • Required the Legislative Service Bureau, in conjunction with the Department of Education, to conduct a study of funding schools based upon average daily attendance; • Required the Department of Education to study the contract days to determine instructional time versus professional development time. The department is required to recommend a definition of professional development time. • Required school districts to utilize the recommendations of the school improvement advisory committee to determine desired levels of student 	<p><u>other bills as indicated.</u></p>
--	--	---

	achievement, including methods of eliminating the achievement gap between the general school population and minority and low income students.	
HF 2516 (formerly HF 2098)	Moment of Silence This bill would have allowed a school board or a teacher to establish a daily observance of one minute of silence. The teacher would have been responsible to ensure that the student remain attentive so that each student may reflect or engage in any silent activity that does not interfere with other students in the exercise of their choice. The House amended the bill to require each classroom in Iowa to display an American flag. A Senate amendment make the display permissive rather than mandatory and adds the Iowa flag and the MIA/POW flag.	Died on House calendar
SF 2297	Multicultural, Gender Fair Eliminated This bill would have eliminated the requirement that Iowa K-12 education programs be multicultural and gender fair. Instead, the bill would require schools to emphasize throughout the educational program: "that the constitutional republic of the United States, of which Iowa is a vital constituent part, was founded upon the guarantee of freedom of religions, the rule of law, and equal justice for all, is the unchallenged, greatest nation in the world, and has derived its strength from biblical values and the forces and philosophies of free enterprise capitalism and western civilization the rule of law".	Died on Senate calendar
SF 2271 Text included in HF 2515 listed below.	Nonpublic textbooks This bill would have allocated nonpublic textbook money on a per pupil basis instead of on a claim basis.	Died in House Education Passed Senate
HF 2551	Open meetings law This bill would have allowed political subdivisions that hold closed meeting to examine the minutes and tape recording of that meeting.	Died on House calendar
HF 2184	PPEL Purchases - Bill #1 This bill would have permitted projects of \$500 or more to be funded through the Physical Plant and Equipment Levy. Current law stipulates that the projects must be at least \$1,500. The bill also allows districts to purchase technology, as opposed to the current language, which requires the purchase of technology "systems". For similar bill see SF 2228 below.	Died on Senate calendar

SF 2284	<p>Property Tax Limitation This bill would have limited school property tax levy to .5% of the actual value for residential and agricultural property. The bill prohibits an increase over the previous years' consumer price index.</p> <p>The bill also increases the regular program foundation base per pupil from 87.5 percent to 98.4 percent beginning FY2005. This would substantially increase the state aid portion flowing to Iowa schools.</p>	Died on House calendar
HF 2318	<p>"Ritalin" bill This bill would have clarified that teachers can't prescribe or designate that students take medications. Teachers but can be part medical analysis undertaken by a health professional if a parent consents. The bill would have required a school board policy prohibiting school employees from suggesting that a student use a specific prescription drug unless the school employee is a licensed health professional.</p>	<p>Died in Senate Human Resources Committee</p> <p>Passed the House 97-1</p>
HF 2008	<p>School Board Elections This bill would have allowed the election of directors of local school districts and merged areas to be held in September of odd-numbered years. AEA board directors would be elected to four-year terms after the local school elections.</p>	Died on House calendar
SF 2269	<p>School Bus Fines This bill would have increased the fine for failure of a driver to slow to 20 mph when near a school bus. The new fine would have been \$200.</p>	Died on Senate calendar
HF 2187	<p>Schools Bus Warning Signs This bill would have made the presumption that the owner of the vehicle was the driver of the vehicle at the time the driver of the vehicle ignored school bus warning signals.</p>	Died on House calendar
SF 240	<p>School Partnerships This bill, which passed the Senate in 2001, would have created pilot projects that pair private investors with school districts for shared utilization of school facilities. The private investors finance the construction of the school facilities and lease the facility back to the district. The private investor retains the right to contract with third parties for use of the facility when not in use by the school. No funding included in bill for pilot's projects.</p>	Died on House calendar
HF 2493	<p>Sexual Exploitation by School Employees This bill would have created a new classification of sexual abuse specifically for sexual conduct with a student</p>	Died on House calendar

	by an employee of a public or private school or AEA. The crimes carry a class "D" felony label.	
SF 2099	Special Education Count Date This bill would have moved the special education count date back to December 1. Legislation offered by the Department last year moved the date to the last Friday in October. This reversion to the December date is offered to give school districts an additional month to identify students for funding in the out year. At that time the change was requested to comply with the executive and legislative branch budgeting cycle. Educationally, the Department has received feedback that the earlier count date provides the educational benefit of earlier problem solving to meet the needs of identified students.	Died on Senate calendar
SSB 3183 and HSB 711 Other version of statewide sales tax filed as amendment H-8422 to HF 2228. The amendment was withdrawn.	Statewide Sales Tax These two bills are identical at this time. The bills would have increased the state sales tax by one penny. However, unlike proposals that would dedicate the extra penny to school infrastructure or a combination of school infrastructure and property tax relief, these bills would devote the proceeds to property tax relief. A 60% super majority would be needed to approve any plan to spend proceeds on school needs. In addition the bills would: * Eliminate the 33-cent board-approved PPEL from all districts, effective July 1, 2002. * Limit the voter approved school district infrastructure plan life to 10 years, at which time another 10-year plan may be considered. (This effectively eliminates a district's ability to bond for the entire 20 years of revenue.)	Died in Senate and House Ways and Means Committees
SF 2152	Veteran Honorary Diplomas Expanded Current law allows veterans of WWII or their families to receive an honorary high school diploma for the honorably discharged WWII veteran. This bill would have extended the eligibility for the honorary diplomas to veterans of WWI, the Korean War and the Viet Nam War.	<u>Died on Senate calendar</u>

SF 2103	Vision Iowa School Infrastructure This bill would have set up a pilot program within the \$20 million Vision Iowa School Infrastructure. The bill directs the Department of Education to adopt administrative rules creating a pilot program that would fund up to \$200,000 in projects incorporating nontraditional or unconventional approaches to instruction in nontraditional or unconventional educational settings.	Died in House Education Committee Passed the Senate
SF 2282	Workforce Programs Studied As amended on the Senate floor, this bill would have required the legislative council to appoint a person to study the effectiveness of economic development, workforce development and business initiative programs of the state. This would include a study of the 260E, 260F and 260G community college programs. As introduced, Iowa State University would have conducted the study.	Died in House Economic Development Committee Passed the Senate 38-11

House File 2515
Department of Education
Statutory Revisions Due to Budget Reductions
AS AMENDED (See below)
Effective dates pending Governor's action

Section 1: Electronic Funds Transfer. Includes under the duties of the director, the ability to disburse state and federal funds by electronic funds transfer. This eliminates staff time required to mail checks to school districts, community colleges and grantees, plus the state is encouraging these types of transactions. Effective date: July 1, 2002

Section 2: Professional Employees. Allows the director to designate full time professional staff as 9, 10 or 11 month employees. This flexibility is needed primarily to recruit and retain education professionals at the Department. School districts are more competitive in their ability to offer health benefits for 9-12 months of salaried employment. Many

prospective employees are lured away from state government work in lieu of employment in school districts. Effective date: July 1, 2002

Section 3. K-12 Accreditation Visits. Allows the department to conduct accreditation visits on an as-needed basis instead of once every five years. Depending upon the overall status, districts may need visits on a more frequent or less frequent basis. Effective date: July 1, 2002

~~**ELIMINATED FROM THE BILL** Section 4: College preparatory schools. Considers college preparatory schools established as of July 1, 2002 as accredited nonpublic schools for purposes of receiving nonpublic transportation, textbook and technology funds. An Attorney General's opinion overruled an agency legal interpretation that said that these specially accredited schools were not eligible for these state funds. The department has held that these state funds are the benefit of full state accreditation under Iowa Code section 256.11. Under current law, college preparatory schools must only prove that 80 percent of their graduates attend postsecondary education. These schools are not required to meet the 256.11 educational standards, have licensed teachers or submit student achievement data. As such, the department proposes grandfathering in the existing college prep schools as eligible for transportation, textbook and technology funding.~~

~~The impact of this strike from the bill is that current and newly formed college preparatory schools can receive nonpublic textbook, technology and transportation funding.~~

Section 5: Technical correction to whole grade sharing for reorganization purposes. Amends the school district reorganization incentive bill that passed the legislature last year to allow districts with whole grade sharing agreements starting July 1, 2002 to claim students eligible for an additional weighting. NOTE: The date on page 3, line 3 should be July 1, 2000 instead of July 1, 2002. Effective date: July 1, 2002

~~**ELIMINATED FROM THE BILL** Section 6: Statutorily designated employee. Strikes the requirement that the department employ a consultant for gifted and talented programs. Current law reads: "The department shall employ a consultant for gifted and talented children programs." No where else in the Code is a department position specified. With shrinking revenues it is inconsistent to have statutorily designated employees. The department prioritized talented and gifted programs and plans to maintain staffing.~~

Section 7: Approval of vocational technical programs. Requires director approval instead of State Board approval of vocational programs as eligible for federal Carl Perkins vocational education technical funding. Current law requires the State Board of Education to approve the programs. This change streamlines the approval process. Effective date: July 1, 2002

Sections 8 and 9: Approval of community college buildings. Eliminates the need for the State Board to approve community college buildings. Effective date: July 1, 2002

Section 10 – 14: Eliminates open enrollment appeals to the department. Changes open enrollment appeals currently going to the State Board of Education. Since enactment of the open enrollment statute in 1988, this area of the law has been extensively defined through administrative law decisions. This statutory change would save administrative law judge and legal assistance time. The Department upholds the district 80% of the time on all appeals. In desegregation districts the appeals would go to district court. Open enrollments that involve repeated acts of harassment of the student or serious health conditions would be appealed to the State Board. Effective date: Board action occurring after June 30, 2002.

The bill would also allows a sibling to open enroll out of a desegregation district.

The following statistics are important to consider. The data reflects appeals filed between January 1, 2001 and November 1, 2001.

- 80% of all administrative law appeals are open enrollment.
- 119 appeals filed and heard;
 - 32 appeals dismissed just prior to hearing or at the hearing.
22 are open enrollment dismissals;
 - **37 oral decisions – all open enrollment;**
 - 50 written decisions
 - 9 Director decisions;
 - 8 athletic eligibility;
 - 1 involving previous agency declaratory ruling
 - **39 State Board decisions**
 - **36 (92%) are open enrollment appeals;**
 - 1 building closing;

- 1 board policy challenged
- 1 expulsion
- 115 children have been involved in the 32 cases that were dismissed at or just prior to the hearing and 50 written decisions.

Sections 15 and 16: School breakfast program. Makes a school breakfast program optional at the discretion of the district. Since mandatory implementation of a school breakfast program, districts have experienced low participation. Also, as a result of the 4.3% across-the-board cut in November 2001, the state match reduction moved Iowa extremely close to the maximum in-kind match allowed under the federal school food service program. Effective date: July 1, 2002

Section 17: Supplemental Mileage Payment. Changes the supplemental mileage payment for parent reimbursement for nonpublic transportation to a predictable formula for ease of administration. This will allow for quicker reimbursement to parents and schools and will significantly reduce agency time spent processing claims. The average parent reimbursement is \$290 for this current fiscal year. Parents may experience \$1 - \$3 dollars difference in the amount of reimbursement as a result of this change.

Under current law, the department must wait until all parent reimbursements are filed before calculating the supplemental mileage payment. By going to a percent of the parent reimbursement amount the department can calculate the exact amount of parent reimbursement due each parent in advance, at the time the department makes the claim forms available on the agency's web site. This will allow quicker processing of district claims and quicker disbursement of funds to schools and parents.

All claims now must be received prior to calculating the supplemental mileage reimbursement payment. This payment has been running between \$15-\$18 dollars per family, per semester for several years. The 13% noted in the proposed language is that same dollar range, plus it would increase as the parent reimbursement amount increases annually. This should be beneficial to the nonpublic parents since the supplemental mileage payment is such a nominal amount anyway. Effective date: July 1, 2002

Section 18: School bus inspections, driver permits and bus driver physicals. Allows the department to charge a fee for conducting school bus inspections and revamps the bus driver permit process. Current individual bus permits are issued. The Department employs 4 FTEs for school transportation, school bus inspectors and support staff. School

buses are inspected twice each year. This bill would allow the Department to charge a cost recovery fee for the school bus inspection which would be approximately \$15. In addition, the current bus driver permit system would be simplified to allow a school district to attest to the qualifications of the bus driver under an authorization. Current annual physicals would become an every other year requirement. Effective date for inspection fee and driver physicals: July 1, 2002. Effective date for revised system of issuing bus permits: July 1, 2003.

Section 19: Code Editor. Makes Code Editor corrections to the district appeal of an AEA transportation decision. Effective date: July 1, 2002

Section 20: Limits appeal. Limits appeals to the State Board to those brought by a pupil and/or a parent or guardian. The department proposes eliminating State Board action on appeals by persons other than a student or the student's parent or legal guardian. Current law permits any "person" to appeal a decision of a local school board. Recent fact situations indicate that because the broad legal definition of "person" includes more than just parents and students, the number of appeals to the State Board could increase. For example, bidders who were not selected under a district-sponsored competitive bid process are now contemplating an appeal to the State Board of the local board's decision to award a contract to another bid candidate. This was not the intent of a State Board appeal process. Effective date: July 1, 2002

Section 21: Building construction plans. Removes the requirement that the department receive and approve school building construction plans. Effective date: July 1, 2002

Section 22-23: Driver's education. Moves driver's education to the Department of Transportation (DOT). The DOT supports this change. The Department of Education is no longer able to provide technical assistance other than through the agency's web site. This change coincides with the graduated driver's license law passed several years ago. Effective date: July 1, 2002

Sections 24-26: Bus driver permits. Converts the bus driver permit system into a simpler web-based authorization system. Effective date: July 1, 2003

Section 27: DUI courses. Allow the department to recover administrative expenses for the data collection on court order courses for drinking drivers offered by the community colleges. Effective date: July 1, 2002

Sections 28,29 and 34: Environmental education. Moves the environmental education grant program to the Department of Natural Resources (DNR). The DNR supports this change. This \$350,000 program awards REAP funding to school districts and teachers for environmental education. No funding is provided for staff administration. The Department currently has one FTE running this grant program. Moving the program back to the DNR will allow reallocation of staff time. Effective date: July 1, 2002

Sections 30-33: Proprietary schools. Moves the surety bonding requirements for proprietary schools to the Secretary of State. The Secretary of State endorses this change. Current law requires the department to insure that proprietary schools have appropriate surety bonding. These types of schools include cosmetology, barber, private driver's education and other corporations providing correspondence instruction. The Secretary of State, which also incorporates these businesses, is the appropriate governmental body to perform this function. Effective date: July 1, 2002

Section 35: Effective date. Makes the bus driver authorization changes effective July 1, 2003.

Section 36: Temporary Waiver Grants the department temporary authority to waive deadlines and hearing requirements for whole grade sharing agreements for the 2002-2003 school year if one of the districts is under 200 enrollment. This is a situation specific request made by the department. Effective date: Upon enactment

The following amendments were added to this bill:

1. Adds one nonvoting K-12 student member to the State Board of Education. The first year of service would be the 2003-2004 school year.
2. Distributes nonpublic textbook funding on a per pupil amount for the public school purchase. This eliminates the claim process. This is the entire text of SF 2271 that did not make the initial funnel dates. Effective date: July 1, 2002
3. Moves date by which school districts' redistricting census plans must be submitted from April 30 to May 15. Effective date: upon enactment
4. Moves the date by which school districts must submit to the Department of Management their budget guarantee resolution from April 1 to April 15, the budget certification date. This provision is retroactive to this year, as several districts did not make this deadline by one day.

5. Requires that when under a governor's across-the-board cut, the reduction to state general aid for K-12 occur on a per pupil basis. Effective date: July 1, 2002
6. Requires school districts to be fiscal agents for 21st Century Learning Center grant unless this conflicts with federal rules or regulations. Effective date: July 1, 2002
7. Amends HF 2272 to require schools districts to report ITBS and ITED scores and requires the department to adopt definitions consistent with the new federal legislation "No Child Left Behind". Effective date: July 1, 2002